

IN RE: PETITION FOR RESIDENTIAL
ZONING VARIANCE
R/S Third Street, N/Cor of
Greenwood Avenue
306 Third Street
14th Election District
6th Councilmanic District
Robert Lee Rodowski
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 91-19-A
*
*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance, pursuant to Section 22-26(b)(1) of the Baltimore County Code and Section 400.1 Baltimore County Zoning Regulations (B.C.Z.R.) to allow an accessory structure (detached garage) to be located in the front/ side yard in lieu of the required rear yard, as more particularly described on Petitioner's Exhibit No. 1.

The Petitioner having filed a Petition for a Residential Variance, the subject property, known as 306 Third Street, zoned D.R. 5.5, having been posted and there being no request for a public hearing, this matter is ready for determination. The Petitioners are requesting a variance to allow an accessory structure (detached garage) to be located in the front/side yard.

The Petitioner has filed the supporting affidavits, marked Petitioner's Exhibit No. 2, as required by Section 22-26 (b)(1) of the Baltimore County Code. There is no evidence in the file or record to indicate that the subject variance would adversely affect the health, safety and/or general welfare of the public.

In the opinion of the Zoning Commissioner, it is established that the information and affidavits provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners. Based upon the information available, the relief should be granted.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 24th day of August, 1990 that the Petition for a Zoning Variance, pursuant to Section 22-26(b)(1) of the Baltimore County Code and Section 400.1 Baltimore County Zoning Regulations (B.C.Z.R.) to allow an accessory structure (detached garage) to be located in the front/ side yard in lieu of the required rear yard, in accordance with Petitioner's Exhibit No. 1, is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent the relief granted herein:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioner shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

3. The Petitioner and/or any successors in title, tenants and/or other individuals, shall not use the detached garage for the storage, overnight parking, or maintenance of any commercial vehicle. The subject property shall not be used, employed or operated as a commercial or business operation of any kind.

4. Upon request and reasonable notice, the Petitioner shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

J. Robert Haines
Zoning Commissioner
for Baltimore County

JRH/mmm
cc: Peoples Counsel

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Townson, Maryland 21204
(301) 887-3333
J. Robert Haines
Zoning Commissioner

August 23, 1990



Mr. Robert Lee Rodowski
306 Third Street
Baltimore, Maryland 21206

RE: Petition for Residential Zoning Variance
Case No. 91-19-A

Dear Mr. Rodowski:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

J. Robert Haines
Zoning Commissioner

JRH/mmm
encl.
cc: Peoples Counsel

PETITION FOR RESIDENTIAL VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section 400.1 To allow an accessory structure (detached garage) to be located in the front/side yard in lieu of the required rear yard.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons:

Baltimore County Law
Inconvenience (storage) SEE ATTACHED
Parking

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City/State/Zip Code

Attorney for Petitioners:

(Type or Print Name)

Signature

Address

Attorney's telephone number

Legal Owner(s):

Robert Lee Rodowski

(Type or Print Name)

Signature

(Type or Print Name)

Signature

w. 944-6171

306 Third Street H. 665-8614

Address

Baltimore, Maryland 21206

City/State/Zip Code

Name, address and phone number of legal owner, contract purchaser or representative to be contacted.

Name

Address

Phone

ORDERED by the Zoning Commissioner of Baltimore County, this 24th day of August, 1990, that the subject matter of this petition be posted on the property on or before the 1st day of August, 1991.

J. Robert Haines
ZONING COMMISSIONER OF BALTIMORE COUNTY

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED,

IT IS FURTHER ORDERED by the Zoning Commissioner of Baltimore County, this 24th day of August, 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Townson, Baltimore County, on the 24th day of August, 1990, at 10:00 a.m.

ORDER RECEIVED FOR FILING

ZONING COMMISSIONER OF BALTIMORE COUNTY

Date

By

(Hardship or Practical Difficulty)

Baltimore County Law: States you may not erect any building on a side yard. I live in a semi-detached home located on a corner lot attached rear to rear instead of side to side. Due to the layout of my corner house I have no rear yard, I have a side yard.

Inconvenience (storage): My house, located at 306 Third Street does not have a attic, therefore, storage space is at a premium. The size of my lot warrents several pieces of lawn equipment for ground upkeep that must be kept stored.

Parking: Convenience as a homeowner to have a garage to ease parking on the street. Due to semi-detached homes, each home having two cars, and business trucks, parking is difficult.

ZONING DESCRIPTION

Beginning at a point on the east side of Third Street which is a 50 foot right-of-way width at the distance of 200 feet north of the centerline of the nearest improved intersecting street Greenwood Avenue which is a 50 foot right-of-way width. Being Lot # 65 in the subdivision of Ken-Knoll as recorded in Baltimore County Plat Book # 16, Folio # 54, containing 5,778.10 square feet or 0.13 acres in lot. Also known as 306 Third Street, Baltimore, Maryland 21206 and located in the # 14 Election District.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Townson, Maryland

District: 14th
Posted for: Variance
Petitioner: Robert Lee Rodowski
Location of property: 306 Third St. N. Cor. Greenwood Ave.
Location of Signs: 306 Third St. 20' x 20' 2 signs
Remarks: 2 signs posted by J. Robert Haines
Posted by: J. Robert Haines
Number of Signs: 2
Date of Posting: 7/27/90
Date of return: 7/27/90



Baltimore County
Zoning Commissioner
County Office Building
131 West Chesapeake Avenue
Townson, Maryland 21206

Account: R-001-6150
Number

receipt
No 2922

Date: 7/11/90

H910000B

PUBLIC HEARING FEES	QTY	PRICE
010 - ZONING VARIANCE (IRL)	1 X	\$35.00
080 - POSTING SIGNS / ADVERTISING	1 X	\$25.00
TOTAL:		\$60.00

LAST NAME OF OWNER: RODOWSKI

04A0480047M1CHRC
BA C04+11P907-11-90
Baltimore County NEXT BUSINESS DAY

\$60.00

Cashier Validation:

Please make checks payable to:

I support the Rodowski's decision to build a one car garage at 306 Third Street. The garage will be approx. 14' x 18" blue stained, T1-11 plywood, set from 84 lumber.

Mrs. Mrs. Jerome & Stadman
311 Third Street
Baltimore 21206

Mal C. Wilson
307 Third St.
21206

Richard McCoy & McCoy
300 Third St.
Baltimore 21206

Mike Schmitt
306 Third Ave.
21206

Roland Bank
7199 Greenwood Ave.
Baltimore 21206

Mr. & Mrs. Michael White
7117 Greenwood Ave.
Baltimore 21206

Mr. & Mrs. Michael H. Shulsky
309 Third St.
Baltimore 21206

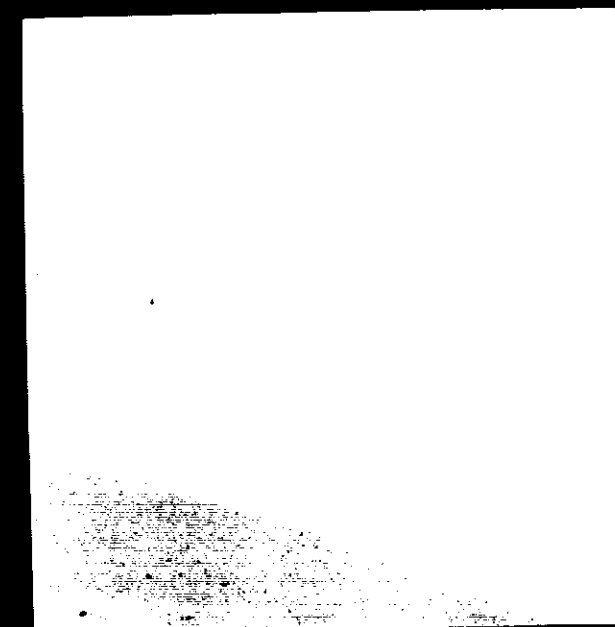
Jim Wright
304 Third Street
Baltimore 21206

Petitioner's
Exhibit 2
Item #8

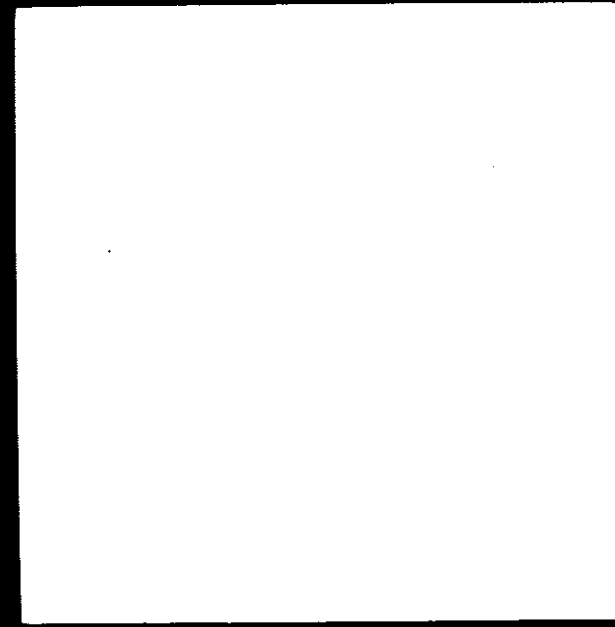
91-19-A

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7-11-90



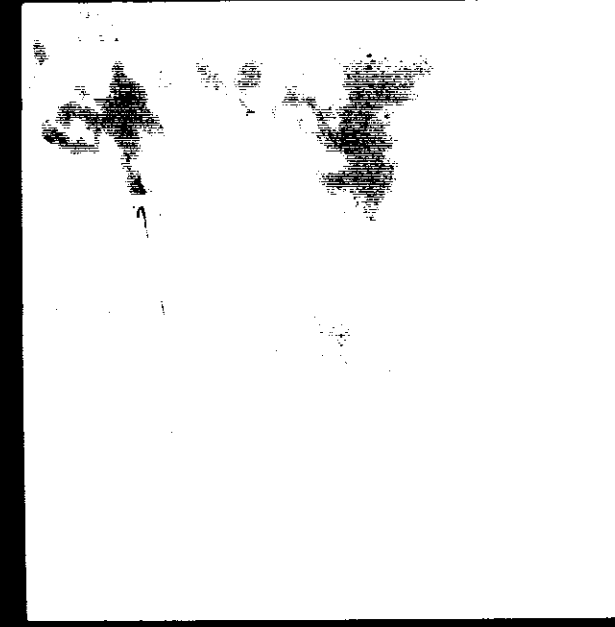
91-19-A



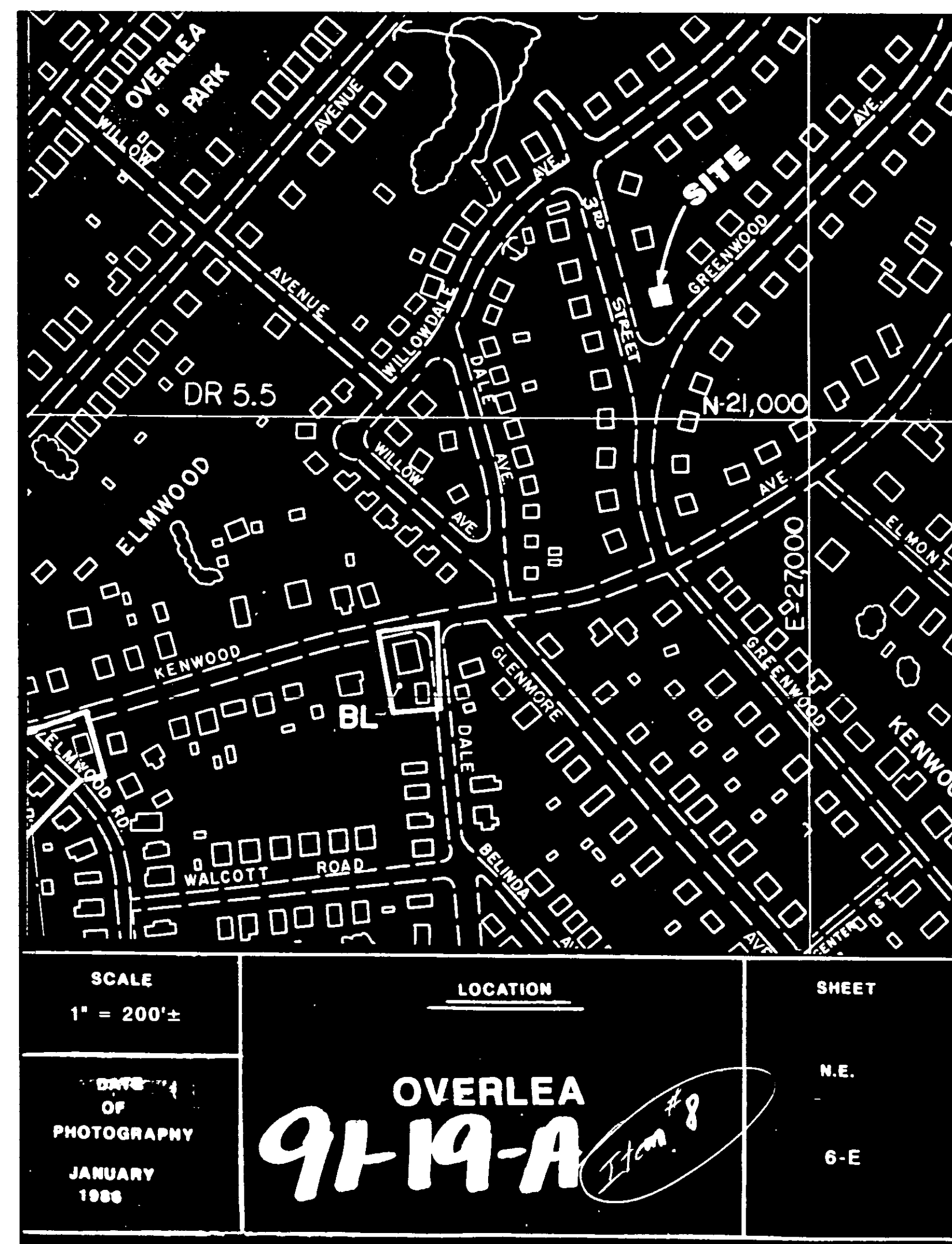
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91-19-A



91-19-A





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Item #8

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE
1" = 200' ±

DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
OVERLEA

SHEET
NE.
6-E